

**SARA TITLE III SECTION 313 INSPECTION REPORT**  
**04-313U-019**

I. **Date of Inspection:** March 3, 2004

II. **Facility:** Acme Manufacturing Company  
Standex Air Distribution Products  
7601 State Road  
Philadelphia, Pennsylvania 19136-3403

**SIC:** 3444

**Facility Description:** The facility is located in a industrial area. It covers 200,000 square feet. The building is constructed of brick and concrete block and is well maintained.

**Process:** Manufacture pipe, duct, fittings

III. **EPA Inspector:**

Abraham Reich  
Environmental Engineer/Inspector  
Toxics Programs & Enforcement Branch (3WC33)  
(215) 814-2157

IV. **Company Officials:**

Bob Barr  
Human Resources/Safety Manager  
(215) 338-2850

William A. Super  
V.P.-Manufacturing  
(215) 338-2850

Dan Musselman  
V.P.-General Manager  
(215) 338-2850

Paul Shornack  
President of the Division  
(215) 338-2850

*Stacy Constant*  
*603-893-9701 x 234*

V. **Purpose of Inspection:**

This inspection was conducted to inspect, document, and verify the facility's compliance with the reporting requirements stated in 40 C.F.R. Part 372 under Section 313 of SARA Title III.

VI. **Sara Title III:**

A plant, factory, or other facility comes under the provisions of Section 313 if it meets all three of the following criteria;

1. The facility is included in Standard Industrial Classification (SIC) codes 10 (except 1011, 1081, and 1094), 12 (except 1241), 20 to 39, 4911, 4931, 4939 (limited to facilities that combust coal and/or oil for the purpose of generating electricity for distribution in commerce), 4953 (limited to facilities regulated under the RCRA Subtitle C, 42 U.S.C. Section 6921 *et seq.*), 5169, 5171, and 7389 (limited to facilities primarily engaged in solvents recovery services on a contract or fee basis); and
2. It has 10 or more full-time employees (or the equivalent 20,000 hours per year).  
And
3. It manufactures (including imports), or processes, or otherwise uses a listed toxic chemical during any calendar year in amounts greater than the threshold quantities specified below.

**Thresholds** are specific amounts of toxic chemicals used during the calendar year that triggers reporting requirements.

1. If a listed toxic chemical is manufactured, imported or processed, the threshold quantity is 25,000 pounds per toxic chemical or category over the calendar year.
2. If a listed toxic chemical is otherwise used (without incorporating it into any product or producing it at the facility), the threshold quantity is 10,000 pounds per toxic chemical or category over the calendar year.
3. Starting with calendar year 2000, manufactured, processed, or "otherwise- use" thresholds of these additional chemicals also called Persistent Bioaccumulative Toxic Chemicals (PBT) are as follows;  
  
100 pounds - aldrin, methoxychlor, pendimethalin, polycyclic aromatic compounds, tetrabromobisphenyl A, trifluralin;  
  
10 pounds - chlordane, heptachlor, mercury, mercury compounds, toxaphene, isodrin, polychlorinated biphenyls, benzo(g,h,i)perylene, hexachlorobenzene, octachlorostyrene, pentachlorobenzene;

0.1 grams - dioxin and dioxin - like compounds.

4. Starting with calendar year 2001, manufactured, processed, or "otherwise- use" of the chemical lead in amounts greater than the amounts specified, a Form R is required:

100 pounds - lead which is not contained in stainless steel, brass, or bronze alloy.

100 pounds - lead compounds.

## **VII. Opening Conference:**

### **1. Inspection Procedures and General Information:**

On March 3, 2004, a Section 313 inspection was conducted at Acme Manufacturing Company. On February 25, 2004, prior to the inspection, a letter was sent to the company confirming the date of the inspection and requesting the availability of documentation (attachment C). The EPA inspector met with company representatives at 0950. The inspector's credentials were presented and a Notice of Inspection was presented and explained (Attachment A). Mr. Barr signed the notice and an outline of the areas to be investigated were discussed.

## **VIII. Summary:**

Section 313 was the primary focus of the inspection. The facility was telephoned on February 3, 2004, to determine if an inspection was warranted (attachment E1). A copy of the notice of inspection was sent to the Superfund Removal Branch to allow them the option to further investigate compliance with Sections 302, 311, and 312 at their discretion.

Mr. Barr stated that the plant's primary SIC Code is 3444. The remainder of the inspection involved determining if the plant manufactured, processed, or otherwise used any one of the listed toxic chemicals in excess of the threshold in calendar years 2000, 2001 and 2002.

The number of employees and sales for the year being examined are as follows:

	2000	2001	2002
Employees: (approximately)	140	140	140
Sales: (approximately)	20.8MM	20.0MM	19.5MM

For the inspection, they had compiled summaries of usages of Section 313 chemicals as shown in attachment D2. Section 313 chemicals are summarized as follows:

<u>CAS Number</u>	<u>Chemical</u>	<u>Usage in Pounds</u>		
		2000	2001	2002
7439-96-5	Manganese	155,562	149,693	145,935

**IX. Closing Conference:**

Chemical usage records and Material Safety Data Sheets (MSDS) were requested by the EPA Inspector and the SARA Title III Section 313 investigation was concluded. Receipts for samples and documents were completed (attachment B) at the conclusion of all inspection activities.

**X. Attachments:**

- A. Notice of Inspection
- B. Receipts for Samples and Documents
- C. Letter to Facility Confirming Date of Inspection
- D.
  - 1. Initial Telephone Call Record
  - 2. Summary of Section 313 Chemicals Used
  - 3. Analysis Sheet
  - 4. Brochures

**XI. Summary of Findings:**

Acme Manufacturing Company did not submit a Form R under Section 313 of SARA Title III for the reporting year 2000, 2001, and 2002. The records showed that the facility had greater than 10 employees (140, 140, and 140 respectively for the years being examined) and is a manufacturer (SIC Code 3444). In addition, the records showed that the facility **exceeded the threshold** for the following listed Section 313 chemical:

<u>Chemical</u>	<u>Reporting Year</u>	<u>Amount (Lbs.)</u>		<u>Form R Due</u>
		<u>Manufactured (M)</u>	<u>Processed (P) Otherwise Used (O)</u>	
Manganese	2000	155,562	(P)	Y
	2001	149,693	(P)	Y
	2002	145,935	(P)	Y

## Galvanized Steel

3-29-04

2000

$$\frac{(21,216,000)(0.91)}{1.9 - 0.65} \times \frac{1.9 + 1.0}{2} =$$

$$[1.85]$$

151,322 Lbs MM

2001

$$\frac{(20,410,000)(0.91)}{1.85} \times 1.45 =$$

145,573 Lbs MM

2002

$$\frac{(19,900,000)(0.91)}{1.85} \times 1.45 =$$

141,935 Lbs MM

<u>Description</u>		<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
Aluminum Usage	(Tons)	91	88	86	90
Galvanized Usage	(Tons)	10608	10205	9950	10462
Stainless Steel Usage	(Tons)	15	15	14	15
Gross Sales		\$20.8 million	\$20.0 million	\$19.5 million	\$20.5 million

Usage amounts are based on Calendar year 2003 actual usage. An assumption was made that usage is relative to sales.

lead  
 {  
 hms  
 hms  
 ss  
 VSS  
 mag

4,243    4,082    3,982  
 3,640    3,520    3,440  
 600    600    560  
 4,240    4,120    4,000  
 5,400    5,400    5,040  
 3,750    3,750    3,500  
 15,321-68



U.S. ENVIRONMENTAL PROTECTION AGENCY  
Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)

1. INVESTIGATION IDENTIFICATION			2. TIME	3. FIRM NAME
DATE 3-3-04	INSPECTOR NO. 011	DAILY SEQ. NO.	0950	Acme Mfg Co., Inc.
4. INSPECTOR ADDRESS U. S. EPA Region III 1650 Arch Street Mail Code: 3WC33 Philadelphia, Pennsylvania 19103-2029				5. FIRM ADDRESS 7601 State Rd Phila. PA 19134-3403

**REASON FOR INSPECTION:** This inspection is for the purpose of determining compliance with the Emergency Planning and Community Right-to-Know Act of 1986, Section 313 toxic chemical release reporting requirements. The scope of this inspection may include, but is not limited to: reviewing and obtaining copies of documents and records; interviews and taking of statements; reviewing of chemical manufacturing, importing, processing, and/or use facilities, including waste handling and treatment operations; taking samples and photographs; and any other inspection activities necessary to determine compliance with the Act.

INSPECTOR SIGNATURE <i>Abraham Reich</i>		RECIPIENT SIGNATURE <i>Robert Burr</i>	
NAME Abraham Reich		NAME Robert Burr	
TITLE Inspector/Technical Advisor	DATE SIGNED 3-3-04	TITLE HR MGR	DATE SIGNED 3-3-04





WASHINGTON, DC 20460  
Superfund Amendments and Reauthorization Act - Title III  
Emergency Planning and Community Right-to-Know Act of 1986

Form Approved  
OMB No. 2070-0007  
Approval expires 3-31-8

# RECEIPT FOR SAMPLES AND DOCUMENTS

1. INVESTIGATION IDENTIFICATION			2. FIRM NAME
DATE 3-3-84	INSPECTOR NO. 011	DAILY SEQ. NO. 0956	Acme Mfg Co., Inc.
3. INSPECTOR ADDRESS U. S. EPA Region III 1650 Arch Street Mail Code: 3WC33 Philadelphia, Pennsylvania 19103-2029			4. FIRM ADDRESS 7601 State Rd. Phila. PA 19136-3403

The documents and samples of chemical substances and/or mixtures described below were collected in connection with the administration and enforcement of the Emergency Planning and Community Right-to-Know Act of 1986.

## RECEIPT OF THE DOCUMENT(S) AND/OR SAMPLE(S) DESCRIBED IS HEREBY ACKNOWLEDGED:

NO.	DESCRIPTION
001	MSDS Stainless Steel
002	MSDS Galvanized metal
003	MSDS Aluminum
004	USAGES

Chemical identities for underlined items have been claimed as trade secret. The facility official requesting such treatment has read and understands EPCRA Section 322 and pertinent trade secret regulations and understands EPCRA Section 325 which provides for (among other things) penalties for frivolous claims.

INSPECTOR SIGNATURE <i>Abraham Reich</i>		RECIPIENT SIGNATURE	
NAME Abraham Reich		NAME	
TITLE Inspector/Technical Advisor	DATE SIGNED 3-3-84	TITLE	DATE SIGNED



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

February 25, 2004

Mr. Bob Barr  
Acme Manufacturing Company, Incorporated  
7601 State Road  
Philadelphia, Pennsylvania 19136-3403

RE: Superfund Amendments and Reauthorization Act (SARA) Title III Section 313 Inspection

Dear Mr. Barr:

This letter will confirm that Mr. Abraham Reich will visit your facility March 3, 2004 at 10:00 a.m. to conduct a SARA Title III inspection. Mr. Reich is assisting the Environmental Protection Agency (EPA) under a cooperative agreement with the Senior Services America, Incorporated (SSAI) as part of the Senior Environmental Employment (SEE) Program. As part of the technical assistance provided to EPA, Mr. Reich provides inspection services under my direction and monitoring pursuant to the Emergency Planning Community Right To Know Act (EPCRTKA), SARA Title III. As a SEE enrollee, Mr. Reich is authorized by EPA to have access to Confidential Business information, and has signed a Non-Disclosure agreement regarding such information.

To save time during the inspection, please have available for review and collection by the inspector the following documents for the 2000, 2001, and 2002 calendar years:

- a. A list of all EPCRTKA Section 313 chemicals used, number of employees, and sales for the years specified above;
- b. Annual usage summaries (pounds) of each EPCRTKA Section 313 chemical with supporting documentation for each year indicated above (supporting documentation should include such items as beginning and end of year inventory, purchase records, and if applicable, import records);
- c. Chemical production records for all Section 313 chemicals or chemical categories manufactured, processed, or otherwise used at your facility.
- d. **Note:** If your facility manufactures, processes, or otherwise uses mixtures which contain Section 313 chemicals, please provide for each of these mixtures a copy of the Material Safety Data Sheet (MSDS), or other written notification which specifies the chemical composition of the mixture.

In addition to the above items, **please provide a brief summary of your manufacturing process** and notify Mr. Reich of any safety equipment (e.g. eye or ear protection, safety shoes, hard hat, etc.) he should bring with him to the inspection. If time permits, he will tour your plant. Should you have any questions, please call Mr. Reich at (215) 814-2157.

Sincerely,

Craig E. Yussen  
EPCRA Section 313 Compliance Coordinator  
EPA Region III

cc: Section 313 State Contact  
EPA: Carole Dougherty (3HS33)

**EPA Region III  
Initial Telephone Call Record**

Date of Call: 2-3-04Facility Name: Arme Mfg Co IncFacility Address: 7601 State Rd  
Phila PA 19136-3403County: PhilaPhone Number: 215-338-2850Facility Contact: Bob BahrInspector Making Call: A. ReichSIC Code: 3444 Emp.: 200 Fac. Size: 150 Kft square \$ 583Call: left msgSend Info.: sent info 2/3/041) Are you familiar with SARA Title III? Yes ☐ No ☐  
(If yes, move to question 2. If no, give a brief explanation).2) Are you familiar with Section 313 of SARA Title III? Yes ☐ No ☐3) Did you report under Section 313 for the 199\_\_ Reporting Year? Yes ☐ No ☐4) Did you report under Section 313 for the 2000 Reporting Year? Yes ☐ No ☒5) Did you report under Section 313 for the 2001 Reporting Year? Yes ☐ No ☒6) Did You report under Section 313 for the 2002 Reporting Year? Yes ☐ No ☒

7) Name of business? (I.e. do you do any manufacturing or processing at your site or are you just a distribution sales Center?)

Stainless steel & black pipe fittings, heating ducts & best metal fabricatorMay 3 10 AM

- 8) No. of employees: 199 ( ), 200 ( ), 200 ( )
- 9) Do you use any chemicals at your facility? Yes No
- 10) Do you use any Section 313 Chemicals? Yes No  
Section 313 chemicals Used: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 11) Did you determine if you are subject to Section 313 reporting? Yes No
- 12) Did your facility report under Section 302 (Notification of SERC if an EHS is present on your site at quantities above TPQ's) and Section 303 (If subject to Section 392, notified LEPC of a selection of a facility representative). Yes No
- 13) Did your facility report under Section 311 (Submission of MSDS's or a list of MSDS chemicals to SERC, LEPC, and local fire departments by 10.17/87 if applicable thresholds were exceeded). Yes No
- 14) If your facility needed to comply with Section 311, did your facility submit the required Tier I or Tier II forms to the appropriate agencies for:
- A) The 199 Reporting year by 03/01/9? Yes No
- B) The 200 Reporting year by 03/01/9? Yes No
- C) The 200 Reporting Year by 03/01/0? Yes No
- D) The 200 Reporting Year by 03/01/0? Yes No
- 15) Did the phone call result in an inspection? Yes No  
If yes, Date: , and Time:
- 16) Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

February 3, 2004

Mr. Bob Barr  
Acme Manufacturing Company, Inc.  
7601 State Road  
Philadelphia, Pennsylvania 19136-3403

RE: Superfund Amendments and Reauthorization Act (SARA) Title III Section 313 Inspection

Dear Mr. Barr:

This letter will confirm that Mr. Abraham Reich will be contacting you in order to schedule a visit to your facility. Mr. Reich is assisting the Environmental Protection Agency (EPA) under a cooperative agreement with the Senior Services America, Inc. (grantee) as part of the Senior Environmental Employment (SEE) Program. As part of the technical assistance provided to EPA, Mr. Reich provides inspection services under my direction and monitoring pursuant to the Emergency Planning Community Right To Know Act (EPCRTKA), SARA Title III. As a SEE enrollee, Mr. Reich is authorized by EPA to have access to Confidential Business information, and has signed a Non-Disclosure agreement regarding such information.

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In addition to the above items, please **provide a brief summary of your manufacturing process**. Should you have any questions, please call Mr. Reich at (215) 814-2157.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig E. Yussen", is written over the typed name.

Craig E. Yussen  
EPCRA Section 313 Compliance Coordinator  
EPA Region III

## ATTACHMENT C

Return Form To: Abraham Reich (3WC33)

## FTTS DATA ENTRY FORM

INSPECTION

Inspection Date 3/3/04  
 Inspector Number 011  
 Inspection Seq. 001  
 Legislation Ind. E Investigation Type EEA  
 Inspection Status C  
 Region/State 03  
 Inspector Name Abraham Reich  
 Reason for Inspection NSR Referral \_\_\_\_\_  
 File Number 04-313U-019  
 Date Rpt. Rec. 03/29/04 Warrant Required N  
 Number of Samples 0  
 CBI: y n X \_\_\_\_\_ Number School \_\_\_\_\_  
 School Type \_\_\_\_\_  
 Facility Function MN  
 EPA Established \_\_\_\_\_  
 Number of Audits \_\_\_\_\_  
 Prod. Reg. # \_\_\_\_\_

## REMARKS:

Site Name: Acme Manufacturing Company  
 Address: 7601 State Road  
 City: Philadelphia State: PA  
 Zip Code: 19136

Site Duns No.: \_\_\_\_\_  
 Site SIC Codes No 3444

Parent Co. Name: \_\_\_\_\_  
 Parent Co. Add.: \_\_\_\_\_  
 Parent Co. City: \_\_\_\_\_  
 State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Identifier : \_\_\_\_\_  
 Rep\_Comp : \_\_\_\_\_  
 Field\_Cit : \_\_\_\_\_  
 Longitude : \_\_\_\_\_  
 Latitude : \_\_\_\_\_

CASE REVIEW

Inspection Date: / /  
 Inspector Number: \_\_\_\_\_  
 Inspection Seq.: \_\_\_\_\_ Samples Number: \_\_\_\_\_  
 Docket Number: \_\_\_\_\_ Case Number: \_\_\_\_\_  
 Linked Docker 1: \_\_\_\_\_ Linked Case 1: \_\_\_\_\_  
 Linked Docker 2: \_\_\_\_\_ Linked Case 2: \_\_\_\_\_  
 Linked Docker 3: \_\_\_\_\_ Linked Case 3: \_\_\_\_\_  
 Linked Docker 4: \_\_\_\_\_ Linked Case 4: \_\_\_\_\_

Site Name: \_\_\_\_\_  
 File Number: \_\_\_\_\_  
 Referral Type: \_\_\_\_\_ Region/State: \_\_\_\_\_  
 Legislation Ind: \_\_\_\_\_ CBI: y n \_\_\_\_\_  
 Case Review Officer: \_\_\_\_\_  
 Date Review Started: / /  
 Date Review Completed: / /  
 Action Warranted: \_\_\_\_\_  
 Investigation Type: \_\_\_\_\_

REMARKS: \_\_\_\_\_  
 ACTTYPE: \_\_\_\_\_  
 CASE DEVELP: \_\_\_\_\_  
 CASE NUM: \_\_\_\_\_  
 DOCKET NUM: \_\_\_\_\_  
 DATE ORC: \_\_\_\_\_  
 DATE ISSUE: \_\_\_\_\_

SAMPLES

Inspection Date / /  
 Inspector Number: \_\_\_\_\_  
 Inspection Sequence: \_\_\_\_\_  
 Sample Number: \_\_\_\_\_  
 Site Name: \_\_\_\_\_  
 Lab Name: \_\_\_\_\_  
 Sample Medium: \_\_\_\_\_  
 Prod Reg #: \_\_\_\_\_  
 Date Sample Sent: / /  
 Date Results Received: / /  
 Violative: \_\_\_\_\_

REMARKS: \_\_\_\_\_